IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. APPEAL NO. 227 /2005

APPELLANTS CLAIMANTS :-

1) Smt. Sumitra Bai wife of Pardeshi Ram, aged 40 years, by caste- Gond.

2) Pardeshi Ram son of Jodhiram aged 42 years,

Both are resident of village - Mohanpur, Police Station Katghora, District- Korba (C.G.).

VERSUS

RESPONDENTS NON-CLAIMANTS :-

1) Sudama Prasad son of Garjan Prasad, aged 40 years, by caste Mallah, resident of village- Sanjay Nagar, Korba.

2) Siya Sharan Sharma, son of Ambika Prasad Sharma,, B-224 Aadarsh Nagar Kusmunda, Distt. Korba .

3) Divisional Manager, The Oriental Insurance Company Limited, in front of High Court, Bilaspur (C.G.).

P.R. No. 4651/25 Presented by Shri M.K. Bhadwan dated 16.02.06

APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT.

(CLAIM IN APPEAL VALUED AT Rs. 16,20,500/-)

Being aggrieved by the final award

(B)

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 227 OF 2005

Appellants : Smt. Sumitra Bai & Another

Versus

Respondents: Sudama Prasad and others.

(Arising out of Claim Case No. 11 of 2004)

2-12-2006

Appellants (Smt. Sumitra Bai & Pardeshi Ram) with counsel Shri P.K. Tulsyan.

None for respondents No.1 & 2.

Shri J.M. Gairola, Divisional Manager, the Oriental Insurance Company Limited with Smt. Chitra Shrivastava, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.76,000/- (Rupees Seventy Six Thousand Only) to the appellants.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellants shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.760/- (Rupees Seven Hundred Sixty Only) shall be paid to counsel for the appellants directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur